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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,322	12/12/2001	Christopher Dansie	3211.11	4354

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EXAMINER
NANO, SARGON N

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/015,322	DANSIE ET AL.
	Examiner	**Art Unit**	
	Sargon N. Nano	2157	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 June 2005*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ . Claim(s) *8 - 16* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *8 - 16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1. This action is responsive to amendment filed on June 13, 2005. Claims 8 – 16

are pending examination.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly
claiming the subject matter which the applicant regards as his invention.

Claim13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention. The claim language is contradictory. Applicant has to

distinguish between the two updates.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented and
the prior art are such that the subject matter as a whole would have been obvious at the time the
invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 8-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Reed et al. U.S. Patent No. 6,757,710 (referred to hereafter as Reed) in view of Shaw et

al U.S. Patent No. 6,362,836. (referred to hereafter as Shaw).

Reed teaches the invention substantially as claimed including a system and a

method from a provider computer to a consumer computer through a communication

network (see abstract).

As to claim 8, Reed teaches a method for providing an autonomous multimedia

computing device, the method comprising:

storing a local copy of a common configuration file and multimedia

content on the computing device, wherein the common configuration file is common to a

plurality of autonomous multimedia computing devices, and wherein the common

configuration file comprises parameters and settings which determine how the plurality

of autonomous multimedia computing devices operate (see col. 9 lines 15 – 51 Reed

discloses storing a copy of update on a consumer computer);

polling a server via a public Internet connection for updates to one or more

processes, the local copy of the common configuration file, and the multimedia

content(see col. 13 , lines 15 – 54 and fig. 1 Reed discloses a consumer program

polling for updates via a network); and

playing the multimedia content based on instructions contained within the local

copy of the common configuration file (see col. 19 lines 3 – 27 , Reed discloses data

elements combined with other types of data to be presented in a full multimedia

messages by consumer computer).

Reed teaches As to claim 8, Reed teaches a method for providing an

autonomous multimedia computing device, the method comprising:

storing a local copy of a common configuration file and multimedia

content on the computing device, wherein the common configuration file is common to a

plurality of autonomous multimedia computing devices, and wherein the common

configuration file comprises parameters and settings which determine how the plurality

of autonomous multimedia computing devices operate (see col. 9 lines 15 – 51 Reed

discloses storing a copy of update on a consumer computer);

polling a server via a public Internet connection for updates to one or more

processes, the local copy of the common configuration file, and the multimedia

content(see col. 13 , lines 15 – 54 and fig. 1 Reed discloses a consumer program

polling for updates via a network); and

playing the multimedia content based on instructions contained within the local

copy of the common configuration file (see col. 19 lines 3 – 27 , Reed discloses data

elements combined with other types of data to be presented in a full multimedia

messages by consumer computer).

Reed does not teach in response to updates being available from the server,

downloading one or more updates via a fault-tolerant network connection that allows

downloading of a file to a resume once a broken network connection is established.

However Shaw teaches the permission of suspendable and resumable sessions that

are downloaded to client devices (see Shaw col. 8 lines 1 – 20). It would have been

obvious to one of the ordinary skill in the art at the time of the invention was made to

incorporate the downloading of a file to resume once a broken network connection is

reestablished in Reed's invention because doing so would reduces start up time for

applications and allows client resilience and avoiding the user from going through a

laborious route to a particular point.

As to claim 9, Reed teaches the method of claim 8, wherein storing comprises

saving the local copy of a common configuration file and multimedia content to a

storage device integrated with the computing device (see col. 19 lines 3 – 27 and fig.1).

As to claim 10, Reed teaches the method of claim 8, wherein polling comprises:

connecting to a server from within a firewall (see col.1 9 lines 3 – 50).

As to claim 11, Reed teaches the method of claim 8, wherein polling comprises:

connecting to a server via a fault-prone network connection (see col.13, lines 14 – 54

and fig.1).

As to claim 12, Reed teaches the method of claim 8, wherein polling further

comprises:

reportng display statistics associated with the multimedia content (see col.93 , lines 54

- col. 94 line 44).

As to claim 13 Reed teaches the method of claim 8, wherein downloading

comprises:

streaming one or more updates to the computing device prior to allowing access to the

updates(see col.144 lines 6- 25).

As to claim 14, Reed teaches the method of claim 8, wherein the local copy of

the common configuration file is in extensible Markup Language (XML) format (see col.

23 line 64 – col. 24 line 28).

As to claim 15, Reed does not teaches teach the method of claim 8, wherein the

fault-tolerant network connection comprises a network connection which allows

downloading of a file to resume once a broken network connection is re-established .

However Shaw teaches the permission of suspendable and resumable sessions that

are downloaded to client devices (see Shaw col. 8 lines 1 – 20). It would have been

obvious to one of the ordinary skill in the art at the time of the invention was made to

incorporate the downloading of a file to resume once a broken network connection is

reestablished in Reed's invention because doing so would reduces start up time for

applications and allows client resilience and avoiding the user from going through a

laborious route to a particular point.

As to claim 16, Reed teaches the method of claim 8, wherein the multimedia

content comprises interactive content allowing a user to interact with the computing

device (see col.144 lines 6- 25).

Response to Arguments

3.   Applicant's arguments with respect to claim have been considered but are moot

in view of the new ground(s) of rejection. Applicant's amendment necessitated the new

ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS

MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Sargon Nano

Aug. 15, 2005

ABDULLAH SALAD

Primary Examiner